

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 CIAE-00 INR-10 NSAE-00 HA-05 L-03
PM-05 NSC-05 SP-02 SS-15 PA-01 ICA-11 /068 W
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R 081230Z AUG 78
FM AMEMBASSY GABORONE
TO SECSTATE WASHDC 2886
INFO AMEMBASSY DAR ES SALAAM
AMEMBASSY LUSAKA
AMEMBASSY MAPUTO
AMEMBASSY PRETORIA

LIMITED OFFICIAL USE GABORONE 2485

E.O. 11652: N/A
TAGS: PINT CGEN MOPS RH SA BC
SUBJ: SOUTH AFRICAN "MERCENARY" RELEASED

REF: GABORONE 0510

1. BEGIN UNCLASSIFIED: SOUTH AFRICAN CITIZEN RENE BERNARD BEYLEVELD, WHO WAS CENTRAL FIGURE IN MUCH PUBLICIZED "MERCENARY" TRIAL EARLIER THIS YEAR, HAS BEEN RELEASED ON APPEAL TO BOTSWANA'S APPEALS COURT. ADDRESSEES WILL RECALL THAT BEYLEVELD WAS SENTENCED TO 15 YEARS PRISON TERMS IN FEBRUARY BY BOTSWANA'S HIGH COURT AFTER IT FOUND THAT HE HAD BEEN GUILTY OF TREASON WHEN HE ATTEMPTED TO TRANSIT BOTSWANA TO JOIN RHODESIAN SECURITY FORCES (REFTEL). ACCORDING TO DAILY NEWS, APPEALS COURT DID NOT IMMEDIATELY ANNOUNCE GROUNDS FOR ITS FINDING, BUT THEY WOULD BE MADE PUBLIC IN "ABOUT TWO WEEKS". APPEALS COURT DECISION MEANS THAT BEYLEVELD SERVED ONLY ABOUT SIX MONTHS OF THE 15 YEAR TERM TO WHICH HE WAS ENTENCED. END UNCLASSIFIED.

2. BEGIN LIMITED OFFICIAL USE: COMMENT: WHILE JUDICIAL
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REASONING OF COURT IS NOT YET AVAILABLE, DECISION TO RELEASE BEYLEVELD AFTER VERY SHORT PRISON TERM MAY REFLECT FACT THAT BOTSWANA'S APPEALS PANEL CONTAINS A MAJORITY OF SOUTH AFRICAN JUDGES. HOWEVER, GOB OFFICIALS IN ATTORNEY GENERAL'S CHAMBERS HAVE ALSO EXPRESSED SOME DISSATISFACTION WITH RELATIVELY NEW SECURITY LAWS WHICH GIVE COURT NO ALTERNATIVE BUT TO IMPOSE MINIMUM FIFTEEN YEAR SENTENCE IN SUCH CASES.

WHILE TRIAL COURT WAS BOUND BY THIS PROVISION OF LAW, APPEALS
COURT WAS FREE TO EXERCISE ITS JUDGEMENT THAT BEYLEVELD HAD
PAID HIS DEBT TO BOTSWANA BY SPENDING SIX MONTHS IN JAIL.
NORLAND

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Message Attributes

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Draft Date: 08 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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TAGS: PINT, CGEN, MOPS, RH, SA, BC, (BEYLEVELO, RENE BERNARD)
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